

ENTERED

March 14, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

DANIEL DAVID GOMEZ,
“Petitioner,”

v.

WILLACY COUNTY JAIL, et al.,
“Defendants.”

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Civil Action No. 1:22-cv-00149

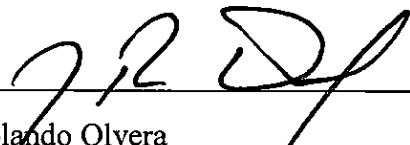
ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Before the Court is the “Magistrate Judge’s Report and Recommendation” (“R&R”) (Dkt. No. 15). The R&R recommends this Court (1) deny Petitioner’s “Application to Proceed in District Court Without Prepaying Fees or Costs” (“Application”) (Dkt. No. 10); and (2) dismiss without prejudice Petitioner’s “Prisoner Civil Rights Complaint” (“Complaint”) (Dkt. No. 1). Dkt. No. 15 at 3.

Objections were due February 22, 2023. No objections were filed by either party. If there have been no objections to the magistrate’s ruling, then the appropriate standard of review is “clearly erroneous, abuse of discretion and contrary to law.” *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, abuse of discretion, or finding contrary to law, the R&R is **ADOPTED**.

Petitioner’s Application (Dkt. No. 10) is **DENIED**. Petitioner’s claims against Defendants as set forth in his Complaint (Dkt. No. 1) are **DISMISSED without prejudice**. The Clerk of the Court is **ORDERED** to close this case.

Signed on this 14th day of March, 2023.



Rolando Olvera
United States District Judge